

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:11CR332
vs.) ORDER
PEDRO MEZA-PEREZ,)
Defendant.)

This matter is before the court on the motions for an extension of time by defendant Pedro Meza-Perez (Meza-Perez) (Filing Nos. 16 and 18). Meza-Perez seeks an additional forty-five days in which to file pretrial motions in accordance with the progression order. Meza-Perez's counsel represents that government's counsel has no objection to the motion. Meza-Perez has filed an affidavit wherein he agrees to the motion and understands the additional time will be excluded under the computations of the Speedy Trial Act. (Filing No. 19). Upon consideration, the motions will be granted.

IT IS ORDERED:

1. Defendant Meza-Perez's motions for an extension of time (Filing Nos. 16 and 18) are granted. Meza-Perez is given until **on or before December 14, 2011**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **October 27, 2011, and December 14, 2011**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

2. The jury trial scheduled for November 29, 2011, before Judge Laurie Smith Camp and a jury is canceled.

DATED this 27th day of October, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge